



TOWN OF HUDSON

Planning Board

George Hall, Acting Chairman

Rick Maddox, Selectmen Liaison



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

MEETING MINUTES December 10, 2014

- I. CALL TO ORDER BY CHAIRPERSON AT 7:04 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL

Members

Present: George Hall, Glenn Della-Monica, Tim Malley, Ken Massey, Bill Collins, Richard Maddox (Selectmen's Representative), and Nancy Brucker (Alternate Selectmen's Representative, arrived at 7:52 pm)

Members

Absent: Marilyn McGrath (excused)

Alternates

Present: Cheryl Cummings

Alternates

Absent: Jordan Ulery (excused), Charles Brackett (excused)

Staff

Present: Town Planner John Cashell.

- IV. SEATING OF ALTERNATES
- Ms. Cummings seated for Ms. McGrath
- V. MINUTES OF PREVIOUS MEETING(S)

A. 08-27-14 Minutes (deferred from 11-12-14 meeting)

Deferred to January 14, 2015 Planning Board Meeting.

- VI. CASES REQUESTED FOR DEFERRAL
- VII. CORRESPONDENCE
- VIII. PERFORMANCE SURETIES
- IX. ZBA INPUT ONLY
- X. PUBLIC HEARINGS

B. Autumn Circle Subdivision
SB# 11-14

Map 128/Lots 7 & 8
300 Webster Street

Purpose of plan: is to consolidate the two subject parcels: Hudson/ Litchfield Tax Map and Lot = 128-7/1-2 and Hudson/Litchfield Tax Map and Lot = 128-8/1-1 and subdivide the resulting area into 11 building lots; (One will contain the existing house and garage). Application Acceptance & Hearing. Deferred Date Specific from the 11-12-14 Planning Board Meeting.

Mr. Malley moved to accept the Subdivision application for 300 Webster Street – Map 128/Lots 7 & 8, which calls for the construction of a new public street and 11 single-family house lots. Motion seconded by Mr. Della-Monica. All in favor – motion carried.

9:21 pm – Mr. Massey recused himself from this case.

Waivers:

289-6(D) – Fiscal Impact

Mr. Della-Monica moved to grant the requested waiver: HTC 289-6(D) – Fiscal Impact Study - because said study, in addition to the submitted plans, CAP Fee provisions and other submitted application materials, is not necessary in order to evaluate the fiscal impact of this development, and as such, the granting of this waiver is not contrary to the spirit and intent of the Subdivision Regulations. Motion seconded by Mr. Malley. All in favor – motion carried.

289-6(D) – Traffic Study

Mr. Della-Monica moved to grant the requested waiver: HTC 289-6(D) – Traffic Study-because the traffic volume associated with the addition of 10 new single-family dwellings will not substantially impact the existing traffic conditions along Webster St., and as such, the granting of this waiver is not contrary to the spirit and intent of the Subdivision Regulations. Motion seconded by Mr. Malley. All in favor – motion carried.

Selectman Maddox moved to approve the subdivision plan entitled: Residential Subdivision Land of Leonard Vigeant Map 128; Lots 7 & 8 Hudson, Map B; Lots 1-1 & 1-2 Litchfield 300 Webster Street, Hudson and Litchfield, NH, prepared by Keach-Nordstrom Associates, Inc., dated: 16 Sept 2014, latest revision date: 19 Nov 2014, consisting of Sheets 1 – 23 and Notes 1 – 32, in accordance with the following terms and conditions:

1. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the above Subdivision Plan-of-Record (hereafter referred to as the Plan).
2. Prior to Planning Board endorsement of the Plan, Town Counsel shall favorably recommend on the Development Agreement and Municipal Water and Drain Easement Deeds pertaining to such easements as shown on the Plan.

3. A CAP amount of \$1,554.33, per residential unit, shall be paid prior to the issuance of a Certificate of Occupancy.
4. A public school impact fee in the amount of \$3,578.00, per residential unit, shall be paid prior to the issuance of a Certificate of Occupancy.

5. A recreation contribution in the amount of \$400.00, per residential unit, shall be paid prior to the issuance of a Certificate of Occupancy.
6. This approval is subject to final engineering review.
7. Maintenance of the onsite drainage system shall be constructed and maintained in compliance with local and NHDES requirements for such systems, and the perpetual maintenance of the stormwater treatment structures and treatment and retention basins outside of the ROW, shall be the responsibility of the future homeowner's association, which shall be comprised of all the homeowners within this subdivision.
8. The number of dwelling lots for this subdivision shall be limited to 11, which includes proposed Lot 1 having an existing two-family dwelling.
9. If lot development involves blasting and/or ramming of bedrock materials, said activities shall be limited to the hours between 7:00 A.M. and 5:00 P.M. Monday through Friday only. Said blasting/ramming activities shall be prohibited on Saturday and Sunday.
10. Construction activities involving the lots shall be limited to the hours between 7:00 A.M. and 6:00 P.M., Monday through Friday. Interior construction activities are allowed on Saturday between 7:00 A.M. and 6:00 P.M. Both interior and exterior construction activities are prohibited on Sunday. Note: this condition shall be properly inscribed on Sheets 3 and 4 of the Plans prior to Planning Board endorsement of same.
11. The developer shall be responsible for the installation of a road status sign at the entrance drive to this subdivision in accordance with Section 289-40 of the Planning Board's Land Use Regulations, and as stated in Note 26, Sheet 1 of the Plan.
12. An offsite traffic improvement fee, in the amount of \$250.00 shall be paid prior to the issuance of a Certificate of Occupancy for each dwelling within this subdivision built in Hudson, and this fee shall be expended exclusive to traffic improvements implemented within the vicinity of the Webster St./Derry St. (NH Rte. 102) intersection.
13. Prior to Planning Board endorsement of the Plan, the "Heritage Trail Easements", pertaining to Lots 8-7 & 8-8, shall be favorably reviewed by Town Counsel, and said easements shall be recorded at the HCRD, together with the Plan.
14. Conservation signage shall be provided at 50 foot intervals, at the Applicant's expense, along the Merrimack River "no cut, no disturb" zones associated with Lots 8-7 & 8-8.

Motion seconded by Mr. Della-Monica. All in favor – motion carried.

Mr. Massey returned to his seat at 9:43 p.m.

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| C. Zheng Garden Site Plan
SP# 13-14 | Map 204/Lot 5
143 Lowell Road |
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Purpose of plan: To propose a 2,360 sf restaurant and associated site appurtenances on Map 204; Lot 5 in the Town of Hudson. Application Acceptance & Hearing.

Mr. Della-Monica moved to accept the Site Plan application calling for the construction of a 2,360 sf restaurant and associated site appurtenances at 143 Lowell Road, Map 204; Lot 5. Motion seconded by Mr. Massey. All in favor – motion carried.

Waivers:

1) HTC 275-8(B)12C – Residential Buffer

Mr. Massey moved to grant the requested waiver – HTC 275-8(B)12C – Residential Buffer – because the subject proposed restaurant is an allowed use in the Business Zoning District, with similar uses located along the same commercial corridor; further, the granting of this waiver will allow for an appropriate use of the land and reasonable sized building to suit the needs required, and also provides an evergreen buffer and 4 ft. fence along the property line closest to the residential abutter. In addition, the applicant's representative stated that the owner of the abutting Map 209/Lot 001, has no objection to the proposed use, as the probable business or commercial use of the subject property has been planned for through its zoning designation, and as such, the granting of this waiver is in keeping with the spirit and intent of the Town's ordinances. Motion seconded by Mr. Della-Monica. All in favor – Motion carried.

2) HTC 275-9B – Traffic Study

Mr. Massey moved to grant the requested waiver HTC 275-9B – Traffic Study – because the proposed restaurant use, with its expected low volume of traffic, will not adversely impact traffic conditions along Lowell Rd., and as such, the granting of this waiver is not contrary to the spirit and intent of the Site Plan Review regulations. Motion seconded by Mr. Malley. All in favor – motion carried.

3) HTC 275-9(C) – Noise Study

Mr. Massey moved to grant the requested waiver: HTC 275-9C – Noise Study – because the proposed use is not expected to create noise beyond that which is allowed by Town Code, as such, the granting of this waiver is in keeping with the spirit and intent of the ordinances. Motion seconded by Mr. Malley. All in favor – motion carried.

4) HTC 275-9D – Fiscal and Environmental Impact Study

Mr. Massey moved to grant the requested waiver: HTC 275-9D – Fiscal and Environmental Impact Study because in addition to the submitted plans and application documents, which include best management practices for stormwater control and a CAP Fee, said study is unnecessary in order to evaluate the fiscal and environmental impact of this project, and as such, the granting of this waiver is not contrary to the spirit and intent of the Site Plan Review regulations. Motion seconded by Mr. Malley. All in favor – motion carried.

5) HTC 275-8.B.(31)a. – Interior Landscaping

Mr. Massey moved to grant the requested waiver – Section 275-8(31) – because landscaping along the perimeter of the site will be more effective to serve purposes of the ordinance enumerated in §334-2, as such, the granting of this waiver will not violate the purposes or general standards of this chapter. Motion seconded by Mr. Malley. All in favor – motion carried.

Mr. Massey moved to grant approval for the Site Plan entitled: “Non-Residential Site Plan Zheng Garden, Map 204, Lot 5, Lowell Road, Hudson, NH, prepared by Keach-Nordstrom Associates, Inc., dated: 25 August, 2014, last revised 5 November 2014, consisting of Sheets 1 – 15 and Notes 1 – 32 on Sheet 1, in accordance with the following terms and conditions:

- 1) All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the Site Plan-of-Record (hereinafter referred to as the Plan).
- 2) Prior to the Planning Board endorsement of the Plan, the Development Agreement and any and all easement deeds shall be favorably reviewed and recommended on by Town Counsel.
- 3) All improvements shown on the Plan, including Notes 1 - 32, shall be completed in their entirety and at the expense of the Applicant or his assigns.
- 4) After the issuance of the foundation permit for the proposed building, and prior to the issuance of the framing permit thereof, the applicant shall submit to the Hudson Community Development Department a foundation “As-Built” plan on a transparency and to the same scale as the approved site plan. The foundation “As-Built” plan shall include all structural dimensions and lot line setback measurements to the foundation and be stamped by a licensed land surveyor. Any discrepancy between the approved site plan and foundation “As-Built” plans shall be documented by the applicant and be part of the foundation “As- Built” submission.
- 5) A CAP Fee of \$13,758.80 shall be submitted by the Applicant to the Town prior to the issuance of a Certificate of Occupancy for the project.

- 6) Prior to the issuance of a final certificate of occupancy, a L.L.S. certified "As-Built" Site Plan shall be provided to the Town of Hudson Community Development Department, confirming that the site conforms with the Planning Board approved Plan.
- 7) Onsite landscaping and exterior lighting shall be provided for in accordance with the Sheets 8 & 9 of the plan.
- 8) Exterior construction activities on the site shall be limited to between 7:00 AM and 7:00 PM Monday through Saturday. No construction activities shall occur on Sunday.
- 9) This approval shall be subject to final engineering review.
- 10) The applicant's engineer and/or contractor shall contact the Town of Hudson to schedule a preconstruction meeting, which will be held with Town staff prior to the start of construction.
- 11) Prior to Planning Board endorsement of the Plan, it shall be amended to include a 12 ft. in-width public access and utility easement along the entire length of street frontage for Map 204/Lot 005, and the deed for said easement shall be favorably reviewed by Town Counsel.
- 12) Prior to Planning Board endorsement of the Plan, it shall be amended to include a loading zone.

Motion seconded by Mr. Della-Monica. All in favor – motion carried.

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| A. Frusteri – Minor Subdivision | Map 191/Lot 053 |
| SB# 10-14 | 22 A Street |

Purpose of plan: is to subdivide 1 building lot from the 30,272 sf parent tract in a TR zone. Application Acceptance & Hearing.

Mr. Della-Monica moved to accept the 2-lot subdivision application at 22 A Street, Map 191/Lot 053. Motion seconded by Mr. Massey. All in favor – motion carried.

Waiver:

- § 193-10.H. Driveway in side setback.

Mr. Della-Monica moved to grant the requested waiver - § 193-10.H. Driveway in Side Setback – because the proposed driveway will provide the most feasible/reasonable means of access to the existing dwelling's main entranceway, and in the immediate vicinity of this dwelling several other residential properties include driveways within their respective side setbacks, therefore, the granting of this waiver does not negatively affect surrounding property values and is not contrary to the spirit of the regulations. Motion seconded by Mr. Malley. All in favor – motion carried.

Mr. Della-Monica moved to approve the subdivision plan entitled: Subdivision Plan Tax Map 191 Lot 53, 22 A Street, Hudson, NH, prepared by Delaney Group, 186 Pine Hill Road, Hollis, NH 03049, dated 09/30/14, last revised 11/10/14, consisting of Sheets 1 – 5 and Notes 1 – 11, in accordance with the following terms and conditions:

1. All stipulations of approval shall be incorporated into the Decision of Approval, which shall be recorded at the HCRD, together with the Plan.
2. A cost allocation procedure (CAP) amount of \$1,081.77 per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
3. A public school impact fee in the amount of \$3,578.00, per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
4. A recreation contribution in the amount of \$400.00, per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
5. All monumentation shall be set or bonded for prior to the Planning Board endorsing the Plan-of-Record.
6. Approval of this plan shall be subject to final engineering review, including the location of the driveways for each lot.

Motion seconded by Mr. Malley. All in favor – motion carried.

XV. OTHER BUSINESS

XVI. ADJOURNMENT

Motion to adjourn by Selectman Maddox. Seconded by Mr. Malley. All in favor – motion carried.

Meeting adjourned at 11:03 p.m.

Timothy Malley
Secretary